

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

2018 OCT 15 P 1:20

STEPHEN C. QRIES
CLERK

COMPLAINT

(for non-prisoner filers without lawyers)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

Danny Woodrow James

1303 UNION AVE

SHEBOYGAN WI 53081

v.

(Full name of defendant(s))

MC DONALDS

2425 S. BUSINESS DRIVE

SHEBOYGAN WI 53081

Case Number:

18-C-1632

(to be supplied by Clerk of Court)

A. PARTIES

1. Plaintiff is a citizen of WISCONSIN and resides at
(State)

1303 UNION AVE SHEBOYGAN WI 53081
(Address)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant MC DONALDS
(Name)

is (if a person or private corporation) a citizen of WISCONSIN

(State, if known)

and (if a person) resides at 2425 S. BUSINESS DRIVE SHERBOGAN WI 53081

(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for McDonalds 2425 S. BUSINESS DRIVE SHERBOGAN WI 53081

(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

THE PLAINTIFF DANNY JAMES WORKED FOR McDONALDS A
HAMBURGER RESTURANT AT IT'S SHERBOGAN, WI LOCATION
ON SOUTH BUSINESS DRIVE FROM 7/10/16 TO 11/27/17. ON
11/27/17 I DANNY JAMES WENT TO McDONALDS ON SOUTH
BUSINESS DRIVE IN SHERBOGAN AND TURNED MY UNIFORMS
IN TO THE MANAGER ON DUTY AND LET MANAGEMENT
KNOW THAT I WAS QUITTING DUE TO THE RACISM,
CONSTANT HARASSMENT ON A DAILY BASIS, AND THE
PHYSICAL ABUSE, THAT MANAGEMENT ALLOWED TO
CONTINUE WITHOUT DOING ANYTHING TO PROTECT ME OR

②

RESOLVE ANY OF THE ISSUES THAT I REPORTED TO
MANAGEMENT, I REPORTED THE INCIDENTS TO MCDONALDS
STORE MANAGER FAYE, THE ASSISTANT STORE MANAGER
DERRICK, ALSO TO THE REGIONAL MANAGER HEATHER,
TO MY IMMEDIATE SUPERVISOR ANN, TO THE
H.R. DEPARTMENT MIKE WENDORF, THEN ULTIMATELY
TO THE ASSISTANT TO THE OWNER. NOTHING WAS DONE
TO HELP ME OVER THIS PERIOD FROM 7/10/16 TO
1/27/17 ALL THE WHILE HAVING THIS HARASSMENT
CONTINUE ON A DAILY BASIS. THEN ON OR ABOUT
1/23/17 IT ELEVATED TO PHYSICAL ABUSE, WHEN
I INSTRUCTED Peggy THE EMPLOYEE THAT HAS BEEN
HARASSING ME, TO CLEAN UP HER WORK AREA AND
PUT THE CHEESE AWAY THAT SHE HAD BEEN USING. SHE
STARTED YELLING ACROSS THE RESTURANT, AND REFUSED
TO CLEAN AND PUT THE CHEESE AWAY. AT THAT TIME
ANN THE SUPERVISOR CAME TO THE BACK AND
ASKED WHAT WAS GOING ON I TOLD HER AND AT
THAT MOMENT Peggy PHYSICALLY SHOVED ME OUT OF
THE WAY FROM IN FRONT OF THE COOLER. ANN

NEVER REPRIMANDED PEGGY FOR SHOVING ME OR TALKING BACK, OR FOR ANY DISRESPECT OF AN EMPLOYEE TALKING TO AN ASSISTANT MANAGER IN THAT WAY WHILE OTHER EMPLOYEES WERE WATCHING. ALSO THIS SAME EMPLOYEE MADE THE STATEMENT THAT SHE WAS AN ADVOCATE FOR HITLER. I WAS STANDING NOT MORE THAN 4 TO 5 FEET AWAY FROM HER WHEN SHE SAID IT. ALSO ANOTHER EMPLOYEE NAMED BEN WAS WORKING IN THE SAME AREA AND HEARD HER SAY IT. THAT WAS VERY UPSETTING TO ME, I WAS HURT BY HAVING TO HEAR STATEMENTS LIKE THAT, AND ALSO I WAS SUBJECTED TO RACIAL SLURS WHILE WORKING MY SHIFTS. I TOOK THESE COMPLAINTS, AND INCIDENTS TO MY MANAGERS, STORE MANAGERS, AND REGIONAL MANAGERS STILL OVER MONTHS AND MONTHS TIME NOTHING WAS DONE TO HELP ME. I STATED DURING THIS TIME THAT I WAS BEING HARASSED BECAUSE OF MY RACE AS BEING A BLACK MAN IN A MANAGEMENT POSITION. I REPORTED THAT TO DERRICK, FAYE, HEATHER THE STORE MANAGERS, AND THE REGIONAL MANAGER.

④

I CALLED MIKE WENDORF THE H. R. MANAGER ON 11/26/17 AND INFORMED HIM THAT I WAS TURNING IN MY UNIFORMS. I GAVE HIM EXAMPLES OF WHAT HAPPENED TO ME, HE TOLD ME HE APPRECIATED THE FEED BACK AND THANKED ME AND THAT WAS THAT FOR OUR CONVERSATION AND ENDED THE CALL. MIKE WENDORF ALSO STATED IN HIS EMPLOYER STATEMENT OF THE UI CLAIM INVESTIGATION-(EMPLOYER STATEMENT), "I DID FIND THAT HE DID NOT BRING IT UP TO DERRICK, OR HEATHER THE DM, OR ANYONE ELSE UNTIL THE DAY THAT HE QUIT." I AM INCLUDING THE PAPER WORK THAT SHOWS I CONTINUALLY COMPLAINED TO MANAGEMENT ABOUT THESE INCIDENTS. I GAVE MCDONALDS EVERY OPPORTUNITY TO TAKE ACTIONS ON THESE INCIDENTS. I WAS WORKING WITH THE D.V.R. OF SHERBOYGAN AND COMPLAINED ABOUT THESE INCIDENTS AT MCDONALDS I AM INCLUDING THAT PAPERWORK ALSO, THERE IS A STATEMENT FROM BEN AN EMPLOYEE I AM INCLUDING ALSO IN THIS PACKET. THERE IS ALSO A STATEMENT FROM ANOTHER EMPLOYEE THAT SUPPORTS MY CLAIM THAT PEGGY WAS

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DISRESPECTFUL TO ME AS AN EMPLOYEE, HE IS
AFRAID TO GIVE HIS NAME DUE TO RISK OF LOSING
HIS JOB. I WILL INCLUDE STATEMENTS OF MANAGEMENT
ACKNOWLEDGING THAT I WAS REPORTING INCIDENTS
OVER PERIODS OF TIME, BUT I GOT NO HELP FROM
MCDONALDS MANAGEMENT, FROM THE ABUSE PHYSICALLY
OR THE HARASSMENT WHILE WORKING THERE. PLEASE
LOOK INTO THIS.

Danny James

10/12/18

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$ _____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

I WOULD LIKE TO HAVE FINANCIAL COMPENSATION
FOR THE WAY I WAS TREATED, FOR THE HARASSMENT
I HAD TO ENDURE, FOR THE VERBAL AND PHYSICAL
ABUSE THAT I SUFFERED ON A DAILY BASIS, ALSO
FOR THE LACK OF SUPPORT FROM MANAGEMENT,
ALSO FOR LOST WAGES THAT I WAS EARNING
BY BEING FORCED INTO QUITTING FROM LACK
OF SUPPORT TO CONTINUE TO WORK WITHOUT
BEING HARASSED AND ABUSED BY AN EMPLOYEE.
ALSO THE LIES ABOUT ME BEING RUDE AND NOT BEING
ABLE TO BE TRAINED BY EMPLOYEES, THEN WHY WAS I
PROMOTED TO THE MANAGER TRAINING PROGRAM? THAT I WAS
HIRED AS AN MANAGER IN JULY OF 2016. ALSO ATTACKING MY
CHARACTER

E. JURY DEMAND

I want a jury to hear my case.

☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 12 day of OCTOBER 2018.

Respectfully Submitted,

Danny James

Signature of Plaintiff

920-226-4974

Plaintiff's Telephone Number

DANNYJAMES63.DJ@GMAIL.COM

Plaintiff's Email Address

1303 UNION AVE

SHERBOGAN WA 98081

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE



I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Filing Fee form and have attached it to the complaint.



I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.